

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**Jason Jones,**

**Plaintiff,**

**v.**

**Case No. 2:11-cv-871**

**Warden Ross Correctional  
Institution, et al.,**

**JUDGE GREGORY L. FROST  
Magistrate Judge Kemp**

**Defendants.**

**ORDER**

This case is before the Court to consider a Report and Recommendation issued by the Magistrate Judge on April 10, 2012. No objections have been filed to the Report and Recommendation. Therefore, the Court **ADOPTS** the Report and Recommendation. Defendants' motion to dismiss (#10) is granted in part and denied in part as follows. The motion is granted as to all claims against Defendant Whitten, and granted as to the state law claim and the claim for injunctive relief. The motion to dismiss is denied as to the remaining claims.

**IT IS SO ORDERED.**

      /s/      Gregory L. Frost        
**GREGORY L. FROST**  
**UNITED STATES DISTRICT JUDGE**